

# DATA PROTECTION ACT AND GDPR

Cabinet Member for Finance & Democratic Services

Date: 9 May 2018  
Agenda Item: 7  
Contact Officer: Bal Nahal  
Tel Number: 01543-308002  
Email: bal.nahal@lichfielddc.gov.uk  
Key Decision? NO  
Local Ward Members If any Wards are particularly affected insert the name of the Ward Members and their Ward. Ensure that the Ward Members have been consulted.



## AUDIT & MEMBER STANDARDS COMMITTEE

### 1. Executive Summary

- 1.1 To inform Members of progress made to date in respect of preparing for a change in data protection legislation, known as GDPR (General Data Protection Regulation).
- 1.2 To inform Members of Cabinet's decision on 1 May 2018 – see attached Cabinet Report (**Appendix 1**).

### 2. Recommendations

- 2.1 That Members note the actions to date and the planned measures to ensure compliance with the legislative requirements.
- 2.2 To approve the amended Data Protection Policy (**attached – Appendix 2**) and Individual GDPR Rights – Response Procedures (**Appendix 3**).

### 3. Background

- 3.1 Please see attached Cabinet Report (**Appendix 1**).

Alternative Options	None.
Consultation	Report to Audit Committee – 27 March 2017 Report to Cabinet – 1 May 2018
Financial Implications	The sum of £20,000 per year on GDPR has been included within the approved MTFS and is within budget.
Contribution to the Delivery of the Strategic Plan	Proposals will assist with compliance with the legal requirements and thus the Council's ability to deliver the services required and Fit for Future.

Equality, Diversity and Human Rights Implications	The new General Data Protection Regulations contain no specific reference to equality considerations, so at this stage there are no issues to consider beyond those associated with the current Data Protection Act provisions. However, analysis of the equality implications have been included as part of the wider project plan when considering the impact the regulations will have on each service. These will be included in future reports if necessary.
Crime & Safety Issues	No crime and safety issues.

	Risk Description	How We Manage It	Severity of Risk (RYG)
A	Non Compliance with Legislation	The Data Protection Policy is based on the current best practice. GDPR Training will be provided to all employees and members. The updated Data Protection Policy and Individual GDPR rights – Response procedures will be published on the Council’s Intranet and Website once agreed. It will also be informed to all employees of the Council.	State if risk is Red (severe), Yellow (material) or Green (tolerable) as determined by the Likelihood and Impact Assessment.  YELLOW
B			
C			
D			
E			

Background documents: Regulations (EU) 2016/679 of the European Parliament and of Council of 27 April 2016 and the Protection of Natural Persons with regard the processing of personal data and on the free movement of such data and repealing the direction 95/46/EC (General Data Protection Regulations).

Relevant web links: <https://democracy.lichfielddc.gov.uk/mgCommitteeDetails.aspx?ID=134>